

Application No. 09/649,951  
Amendment dated July 7, 2005  
Reply to Final Office Action of April 14, 2005

Docket No. 12-2-4642

**Amendments to the Claims:**

Claims 1-21 and 23-33 are pending in this application. Claims 1, 21, 28-30 and 32 are independent.

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

- 1 (PREVIOUSLY PRESENTED) An apparatus comprising:
- (A) a photo-receiving device that receives light from an object and converts the light into an image signal; and
  - (B) a focus adjusting device that forms a first focus evaluation value by integrating a predetermined frequency component of the image signal obtained by said photo-receiving device and forms a second focus evaluation value, different from said first focus evaluation value, by detecting a peak value of the predetermined frequency component of the image signal obtained by said photo-receiving device, and performs a focus adjusting operation by selectively using one of said first and second focus evaluation values on the basis of a luminous state of the image signal,
- wherein the selectively used first or second focus evaluation value becomes larger as an image of the object approaches to a focused state.
- 2 (ORIGINAL): The apparatus according to claim 1, wherein said predetermined frequency component is a frequency component on a predetermined high frequency side.

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3 (ORIGINAL): The apparatus according to claim 1, wherein said focus adjusting device judges the state of the luminous State of the object on the basis of the image signal obtained by said photo-receiving device.

4 (PREVIOUSLY PRESENTED): The apparatus according to claim 1, wherein said focus adjusting device applies at least one of said first and second focus evaluation values to the focus adjustment on the basis of a luminous distribution state of the object.

5 (ORIGINAL): The apparatus according to claim 1, wherein said focus adjusting device applies said second focus adjusting signal to the focus adjustment in a case there an object image is judged as a peak image on the basis of the luminous state of the object.

6 (ORIGINAL): The apparatus according to claim 5, wherein said focus adjusting device applies said first focus adjusting signal to the focus adjustment in a case where an object image is not judged as a peak image on the basis of the luminous state of the object.

7 (ORIGINAL): The apparatus according to claim 1, wherein said focus adjusting device applies said first focus adjusting signal to the focus adjustment in a case where an object image is not judged as a peak image on the basis of the luminous state of the object.

8 (ORIGINAL): The apparatus according to claim 1, wherein said focus adjusting device forms said first focus adjusting signal by integrating a predetermined peak value of Said predetermined frequency component of the image signal obtained by said photo-receiving device.

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9 (ORIGINAL): The apparatus according to claim 8, wherein said focus adjusting device forms said second focus adjusting signal by obtaining said peak value without performing said predetermined integration operation on said predetermined frequency component of the image signal obtained by said photo-receiving device.

10 (ORIGINAL): The apparatus according to claim 8, wherein said focus adjusting device forms said second focus adjusting signal from a peak value of the predetermined frequency component of the image signal obtained by said photo-receiving device.

11 (ORIGINAL): The apparatus according to claim 1, wherein said focus adjusting device forms said second focus adjusting signal by obtaining said peak value without performing said predetermined integration operation on the predetermined frequency component of the image signal obtained by said photo-receiving device.

12 (ORIGINAL): The apparatus according to claim 1, wherein said focus adjusting device forms said second focus adjusting signal from a single peak value of a predetermined frequency component of the image signal obtained by said photo-receiving device.

13 (ORIGINAL): The apparatus according to claim 1, wherein said focus adjusting device judges the luminous state of the object on the basis of a peak value of luminance of the object and an average value of the luminance of the object.

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14 (PREVIOUSLY PRESENTED): The apparatus according to claim 1, wherein said focus adjusting device applies at least one of said first and second focus evaluation values to the focus adjustment in consideration of a state of a focal length.

15 (PREVIOUSLY PRESENTED): The apparatus according to claim 14, wherein said focus adjusting device applies at least one of said first and second focus evaluation values to the focus adjustment in consideration of a state of an iris.

16 (PREVIOUSLY PRESENTED): The apparatus according to claim 1, wherein said focus adjusting device applies at least one of said first and second focus evaluation values to the focus adjustment in consideration of a state of an iris.

17 (ORIGINAL): The apparatus according to claim 1, wherein said focus adjusting device changes a focus adjusting signal to be applied to the focus adjustment from said second focus adjusting signal to said first focus adjusting signal as depth of field is deepened by at least one of a focal length and an iris.

18 (ORIGINAL): The apparatus according to claim 1, wherein said apparatus comprises an image sensing apparatus.

19 (ORIGINAL): The apparatus according to claim 1, wherein said apparatus comprises a camera.

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20 (ORIGINAL): The apparatus according to claim 1, wherein said apparatus comprises an optical device.

21-27 (CANCELLED):

28 (PREVIOUSLY PRESENTED): A focus adjusting method comprising:

converting light from an object into an image signal, forming a first focus evaluation value by integrating a predetermined frequency component of the image signal, forming a second focus evaluation value, different from said first focus evaluation value, by detecting a peak value of the predetermined frequency component of the image signal, and selectively using at least one of said first and second focus evaluation values to thereby perform a focus adjusting operation on the basis of a luminous state of the image signal,

wherein the selectively used first or second focus evaluation value becomes larger as an image of the object approaches to a focused state.

29 (CANCELLED):

30 (PREVIOUSLY PRESENTED): A computer-program product comprising code that, when executed, causes a computer to carry out the steps of:

converting light from an object into an image signal, forming a first focus evaluation value by integrating a predetermined frequency component of the image signal, forming a second focus evaluation value, different from said first focus evaluation value, by detecting a peak value of the predetermined frequency component of the image signal, and

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selectively using at least one of said first and second focus evaluation values to thereby perform  
a focus adjusting operation on the basis of a luminous state of the image signal,

wherein the selectively used first or second focus evaluation value becomes larger  
as an image of the object approaches to a focused state.

31 (ORIGINAL): The computer program product according to claim 30, wherein said  
computer program product comprises a storage medium.

32-33 (CANCELLED):